

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JACOB WILSON, <u>et al.</u>, individually and on behalf of all other similarly situated individuals,	:	
Plaintiffs	:	No. 4:17-cv-00915-YK
v.	:	(Judge Kane)
WINGS OVER HAPPY VALLEY MDF, LLC d/b/a WINGS OVER HAPPY VALLEY, <u>et al.</u>,	:	
Defendants	:	

ORDER

AND NOW, on this 21st day of February 2020, upon consideration of Plaintiffs' motion to certify a class pursuant to Federal Rule of Civil Procedure 23 (Doc. No. 47) and motion to conditionally certify a collective class (Doc. No. 48), and in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Plaintiffs' motion to certify a class pursuant to Federal Rule of Civil Procedure 23 (Doc. No. 47) is **DENIED**;
2. Plaintiffs' motion to conditionally certify a collective class (Doc. No. 48) is **GRANTED**. The following collective class will be permitted notice and an opportunity to opt in to this action:

All individuals who worked for Defendants as delivery drivers between May 24, 2014 and February 28, 2017;

3. Within ten (10) days of the date of this Order, Defendants will produce to Plaintiffs a list, in electronic and importable format, of all persons employed by Defendants as delivery drivers who are covered by the approved class definition above. This list shall include names, job titles, addresses, email addresses, telephone numbers, dates of employment, dates of birth, and the last four digits of the employees' Social Security numbers;
4. Plaintiffs will file a separate motion for approval of form of notice within seven (7) days of the date of this Order. The parties are directed to meet and confer regarding the form of notice;

5. The Clerk of Court is directed to amend the caption of this case to reflect that Jacob Wilson is no longer a plaintiff in this case.¹

s/ Yvette Kane

Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania

¹ Plaintiffs' motion for leave to file an amended complaint (Doc. No. 24) and first amended complaint (Doc. No. 24-2) removed Jacob Wilson as a plaintiff. Pursuant to the first amended complaint, the named plaintiffs in this case are Ty Carts, Lewis Grove, Colin Kreiger, and Branden Ronald. (Id.)